

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CITY OF NEW YORK, *et al.*,

Plaintiffs,

Case No.
19-cv-5934 (BMC)

v.

UNITED STATES POSTAL SERVICE
and LOUIS DeJOY, in his official
capacity as Postmaster General,

Defendants.

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**DECLARATION OF JAMES R. CHO
PURSUANT TO LOCAL CIVIL RULE 1.4**

JAMES R. CHO respectfully declares under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an Assistant U.S. Attorney with the Office of the United States Attorney for the Eastern District of New York. I have served in this capacity since November 2008.

2. I have served as one of the attorneys for the Defendants in this action since November 7, 2019. The posture of this case is as follows: Defendants' Motion to Dismiss for Failure to State a Claim and for Lack of Jurisdiction was granted in part and denied in part on February 16, 2021. Defendants filed an Answer to the Amended Complaint on March 10, 2021. The parties are currently engaged in discovery.

3. I am moving to withdraw as counsel for the Defendants in this action because I am leaving the United States Attorney's Office. My last day at the Office will be April 2, 2021.

4. My departure from the U.S. Attorney's Office provides a satisfactory reason for, and indeed necessitates, my withdrawal as an attorney in this case. My colleagues, Ekta R. Dharia

and Rachel G. Balaban, Assistant U.S. Attorneys with the United States Attorney's Office, Eastern District of New York, will continue to represent the government in this case.

5. As this is a government case, there is no retaining or charging lien involved.

Dated: Brooklyn, New York
March 27, 2021

By: s/ James R. Cho
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